



POLLACK & KOTLER
ATTORNEYS AT LAW

RUTH M. POLLACK

LYNN R. KOTLER

January 3, 2005

Via Facsimile with Permission: 212-805-7968
Hon. Judge Kenneth M. Karas
United States District Court – S.D.N.Y.
500 Pearl Street, Room 920
New York, New York 10007

Re: Ello v. Singh, et al.
Docket No. 05-CV-9625

MEMO ENDORSED

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/9/06

We represent Plaintiff in this Whistle Blower/Wrongful Termination case. As of this afternoon, we are in receipt of a pre-motion letter from counsel for defendants Singh, LECET, MDTC Funds, Pocino, and Virga; and counsel for defendants LIUNA, Pocino, in his official capacity as a LIUNA officer and in his individual capacity. Pursuant to your order of December 20, 2005, we were to have submitted our pre-motion letter by today; however, due to technical delays with our computer equipment since relocating over the past week, we were unable to email our response today by close of business. Accordingly, we respectfully seek an enlargement of one (1) day until tomorrow evening to file via ECF and serve our opponents. We do intend to oppose the applications for leave to move to dismiss.

We intend to abide by the conference schedule in all other respects. Due to the length of our request and no prejudice, we have not sought consent of the parties.

Thank you.

Very truly yours,

RUTH M. POLLACK (RP1407)

CC: Mr. Richard Ello
Via Facsimile: Lankford, Coffield & Reed, P.L.L.C. 703-299-8876
Proskauer, Rose, LLP 212-969-2900

*Plaintiff is given until January 4, 2006
to submit a response to Defendants' December 20, 2005
pre-motion letter.*

SO ORDERED


KENNETH M. KARAS

1/3/06